

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JOSHUA S.,

Plaintiff,

Case No. 3:25-cv-37

vs.

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,

District Judge Michael J. Newman
Magistrate Judge Chelsey M. Vascura

Defendant.

ORDER: (1) GRANTING THE PARTIES' JOINT MOTION TO REMAND (Doc. No. 7); (2) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE SIXTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER PROCEEDINGS; (3) ADMINISTRATIVELY CLOSING THIS CASE ON THE COURT'S DOCKET; AND (4) REQUIRING THE COMMISSIONER TO ADVISE THE COURT OF THE STATUS OF THIS MATTER EVERY NINETY (90) DAYS

This Social Security disability benefits appeal is presently before the Court on the parties' joint motion to remand this case to the Commissioner for further administrative proceedings pursuant to the Sixth Sentence of 42 U.S.C. § 405(g). Doc. No. 7. For good cause shown, and because the parties and the Court agree that the requirements of a Sentence Six remand have been satisfied, **IT IS ORDERED THAT** (1) the parties' joint motion to remand is **GRANTED**; and (2) this case is **REMANDED** to the Commissioner under the Sixth Sentence of 42 U.S.C. § 405(g) for proceedings consistent with the parties' joint motion and this Order.

Upon remand, as the parties have agreed, the Appeals Council will direct the Administrative Law Judge to consider the evidence from Kettering Health Network dated January 17, 2023 to September 30, 2023 and Premier Orthopedics Centerville dated October 5, 2023 to October 9, 2023, received into the electronic folder on October 23, 2023, and ensure that all

exhibits are selected, arranged, and marked, pursuant to HALLEX I-2-1-15 and I-2-1-20, and issue a new decision.

Accordingly, the parties' joint motion to remand is **GRANTED**, and this case is **REMANDED** under the Sixth Sentence of 42 U.S.C. § 405(g). This is a pre-judgment remand. *See Faucher v. Sec. of Health and Human Servs.*, 17 F.3d 171, 174 (6th Cir. 1994). While the Commissioner is considering the new and material evidence on remand, this case is **ADMINISTRATIVELY CLOSED**. The Commissioner **SHALL** advise the Court of the status of this matter, in writing, every **NINETY (90) DAYS**.

IT IS SO ORDERED.

April 15, 2025

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge